



## 2015 ASSEMBLY BILL 392

October 12, 2015 – Introduced by Representatives JARCHOW, BALLWEG, E. BROOKS, HORLACHER, KNODL, KRUG, LOUDENBECK, MURTHA, A. OTT, PETERSEN, QUINN, RIPP, TAUCHEN, BILLINGS, DOYLE, MEYERS, MILROY, SUBECK, GENRICH and NERISON, cosponsored by Senators MOULTON, COWLES, PETROWSKI, LASSA, RINGHAND, SHILLING and VINEHOUT. Referred to Committee on Energy and Utilities.

1     **AN ACT** *to renumber and amend* 185.12 (5) (b); and *to create* 185.12 (5) (b) 1.,  
2             2. and 3. of the statutes; **relating to:** methods of voting by members of a  
3             cooperative.

---

### *Analysis by the Legislative Reference Bureau*

This bill allows members of a cooperative to vote electronically on the election or removal of directors.

Current law specifies the means for governance of a cooperative organized in this state, including the adoption by members of bylaws for the cooperative and the holding of member meetings. Under current law, a member of a cooperative who is entitled to vote on a motion but is absent from the meeting at which the vote is taken may vote by signed ballot or electronic means if specified conditions are met. A cooperative, in its bylaws, may provide for methods and procedures for voting that are not inconsistent with the statutes.

Current law allows a cooperative, in its bylaws, to provide for voting on the election or removal of directors by signed ballots. Signed ballots may not be used for this purpose unless the bylaws authorize and prescribe the procedure for their use.

This bill allows a cooperative to provide for voting by electronic means on the election or removal of directors if 1) the bylaws provide for electronic voting on the election or removal of directors; 2) the cooperative can authenticate that it is a

